

Legislative Fiscal Bureau

Fiscal Note

HF 623 - Aggravated Misdemeanor Fines (LSB 2914 HV)

Analyst: Jennifer Dean (Phone: (515) 281-7846) (Jennifer.Dean@legis.state.ia.us)

Fiscal Note Version - New

Description

House File 623 relates to the imposition of a fine for certain criminal offenses. The Bill provides that the Court shall not suspend a fine imposed for an aggravated misdemeanor, a Class D, or Class C felony offense.

Assumptions

1. Charge, conviction, and sentencing patterns and trends will not change over the projection period.
2. Prisoner length of stay, revocation rates, and other corrections policies and practices will not change over the projection period.
3. The law will become effective July 1, 2002. A lag effect of six months is assumed, from the law's effective date to the date of first entry of affected offenders into the correctional system. Therefore, the first-year fiscal impact is divided in half to account for the lag effect.
4. The analysis is based on information obtained from the Justice Data Warehouse, which includes statewide court information. Conviction and penalty information is based on FY 2001 data.
5. Based on correction data from the Justice Data Warehouse for FY 2001, there were 3,800 additional minimum fines imposed for aggravated misdemeanors, 3,400 additional fines imposed for Class D felonies, and 1,100 additional fines imposed for Class C felonies. The total increase would be approximately 8,300 convictions.
6. Convictions not currently involving a fine or community service would receive either the minimum mandatory fine or community service, at the ratio of fines-to-community service currently imposed under current law.
7. Aggravated Misdemeanors: 9% of aggravated misdemeanors result in community service sentences, not a fine and community service fines.
8. Class D felony: 17% of Class D felonies result in community service sentences, not a fine and community service.
9. Class C felony: 18% of Class C felonies result in community service sentences, not a fine and community service.
10. The actual imposition of additional mandatory minimum fines and estimated revenue impact may be higher or lower than shown.
11. The collection rate applied to aggravated misdemeanors is 61%.

12. The collection rate applied to Class D felonies is 47%.
13. The collection rate applied to Class C felonies is 62%.
14. The 30% surcharge is applied in addition to the fine amount.

Fiscal Impact

House File 623 would increase General Fund revenues as follows:

	General Fund	Victim Compensation Fund	Total
Year 1	\$ 699,000	\$ 29,000	\$ 728,000
Year 2	2,046,000	85,000	2,131,000
Year 5	3,766,000	157,000	3,923,000

Sources

Criminal and Juvenile Justice Planning Division, Department of Human Rights
Judicial Branch

_____/s/ Dennis C Prouty_____

February 5, 2002

The fiscal note and correction impact statement for this bill was prepared pursuant to Joint Rule 17 and pursuant to Section 2.56, Code of Iowa. Data used in developing this fiscal note and correctional impact statement are available from the Legislative Fiscal Bureau to members of the Legislature upon request.
